JAN MEYERS 3D DISTRICT, KANSAS

WASHINGTON OFFICE-2338 RAYBURN HOUSE OFFICE BUILDING (202) 225-2865

> DISTRICT OFFICE: 204 FEDERAL BUILDING (913) 621-0832

DISTRICT OFFICE: 7133 WEST 95TH STREET SUITE 217 OVERLAND PARK, KS 66212 (913) 383-2013

EX PARTE OR LATE FILED

Congress of the United States House of Representatives

Washington, **DC** 20515-1603

March 4, 1993 DOCKET FILE COPY ORIGINAL

SMALL BUSINESS COMMITTEE

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FOREIGN AFFAIRS COMMITTEE

SELECT COMMITTEE ON AGING

VICE CHAIRMAN
ENVIRONMENTAL AND ENERGY STUDY COMMITTEE

AT-LARGE MEMBER
REPUBLICAN POLICY COMMITTEE

Federal Communications Commission Legislative Affairs 1919 M Street, N.W. Room 808 Washington, D.C. 20554

MAR 1 1 1993

FEDERAL (CHARDNES IN 1997) OFFICE OF THE Street

Gentlemen:

Please find enclosed copies of letters I received from several constituents expressing concern about the Federal Communication Commission's (FCC) proposed rule affecting remote control hobby devices--PR Docket 92-235. My constituents believe the proposed rule will greatly reduce the number of frequencies assigned for remote control devices which, in turn, would increase the risk of accidents and liability.

I would like to have my constituents' comments reviewed by the FCC and submitted to the docket's public record. Your reply will be very helpful to me in responding to my constituents.

Thank you for your attention to this request. forward to hearing from you.

Sincerely,

Jan Mevers

Member of Congress

Meyers

JM: ky

Enclosure

MI) Le Tera Received

FEB 1 2 1993

January 30, 1993

TID HILL NAME OF

1831 1 1 1593

The Honorable Jan Meyers 1230 Longworth Bldg Washington, DC 20515

Dear Mrs. Jan Meyers:

Windstiff to be I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes.

very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band, this band is primarily used for private land mobile dispatch operations. However our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC want to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weight as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference caused the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 Mhz band.

Sincerely, 15830 W. LOCUST, OLGHYC PHILIP B. MALLOWEE OLANE, KS

The Honorable Jan Meyers 1230 Longworth Building Washington, D.C. 20515

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FEB 04 1993

January 26, 1993

'MAR 1 1 1993

· Dear Mrs. Meyers:

PAGENT COMMENTATION OF ASSESSED.

I am a retired federal Employee and I derive many hours of enjoyment from constructing and operating radio controlled mode) airplanes. In my earlier years, I was an active private pilot and spent many enjoyable hours flying single engine fixed landing gear aircraft. I have been interested in aviation for quite a number of years. Currently, I am active in a local club whose members enjoy constructing and operating radio controlled model airplanes. I personally own three pieces of radio equipment worth approximately \$800.00 that would be rendered unusable if this frequency assignment is adopted.

I am very concerned about proposed rules that are correctly under consideration by the federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

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Please help me continue the safe enjoyment of my pastime by not allowing Mod Work the FCC to carry out its proposals for the 72-76 MHz band.

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The Honorable Jan Meyers 1230 Longworth Bldg. Washington, DC.

Dear Ms. Meyers;

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MAR 1.1 1993

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

I am retired on disability, and being unable to pursue my other interests, such as hunting, shooting, and motorcycle riding, have concentrated on radio controlled model airplanes as my only pass-time. I, as well as many other retirees, get a great deal of pleasure from building and flying model planes. There are about fifty members in our club in Lawrence, and quite a few more than that in Topeka.

I am writing you because I am concerned about a proposed rule change being considered by the Federal Communications Comission (FCC). This is PR Docket 92-235. The FCC, in co-operation with the Academy of Model Aeronautics, re-organized the frequencies that modelers were able to use in '91, so there is definately a need for the frequencies we have available, but my understanding is that this change, if adopted, will make many of the frequencies un usable for safe operation of model aircraft.

The Frequencies we use are primarily in the 72-76 MHz band. This band is used for private land mobile dispatch use as well, but they have been spread apart enough that interfering with each other, but this rule change would apace them so close as to make many of them unuseable for safe use by modelers. I am told that of fifty frequencies now available for model use, only nineteen would be usable after this change.

Safety is one of our prime concerns, and you can see where with planes from three to ten foot wingspan, and weights from two to forty pounds, we want tokeep these planes under control. At many of our meets there are as few as two or three, to thousands of spectators, so safety is a must.

I do not think The FCC should seek to improve the operating conditions of land mobile users at the expense of modelers. We had this same thing with CB radios years ago, and it made model frequencies which wire spread

between the CB bands un useable. The FCC may consider our use of frequencies as unimportant, compared to commercial users, but there is a great deal of expense involved on the part of modelers, and a lot of people with jobs in the hobby industry involved, also.

Please excuse the length of the letter, but there are a lot of things involved here to tell you about. I hope you will help me to continue the safe enjoyment of my hobby by not allowing the FCC to carry out this proposal which will surely ruin a very nice and useful hobby.

Sincerely,

David 77 Drin David Norris 11509 BRADSHAW 66210

The Honorable Jan Meyers 1230 Longworth Bldg. Washington, DC. 20515

Dear Representative Meyers:

February 11,1993



FEDERAL COMMUNICATION SIO

I am a radio controlled model boat hobbyist and active in a local club in the Kansas City area. I've been involved in this sport for over ten years and has turned into a real passion for me.

I am every concerned about the proposed rule that is currently under consideration by the Federal Communication Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio control frequencies are in the 72-75 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio -control frequencies in this band are far enough apart from land mobile frequencies that we have been able to share the band without either use interfering with each other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaced Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C boats and cars) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I'don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the R/C modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like my self and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-75 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

Howard Collins

12611 Wenonga Lane

Leawood, Kansas 66209

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1900 W. 61st Terracopeneral COMMUNICATIONS COMMISSION Shawnee Mission, KS OFFICE OF THE SECRETARY 66208

January 9, 1993

Jan Meyers 1230 Longworth Bldg Washington, DC 20515

Dear Mrs. Meyers:

I am a university professor of engineering and, for many years, have enjoyed participating in the hobby of constructing and operating radio controlled model airplanes. There are no other hobbies I have found that develop greater technical skill or are more challenging than this one. I have several thousand dollars invested in equipment and literally years of construction time.

I am very concerned about proposed rules that are currently under consideration by the Federal Communication Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of useable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property; damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models ar organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in out models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely

Donald R. Smith

FEB 19 1993

11604 Reeder Overland Park, KS 66210 February 14, 1993

The Honorable Jan Meyers 1230 Longworth House Office Building Washington, D.C. 20515 RECEIVED

MAR 1 1 1993

FEDERAL COMMUNICATION OF FICE OF THE SECRETARY

Dear Ms. Meyers:

Being an aviation enthusiast, and also an operator of radio controlled airplanes, I care about maintaining our aviation heritage. While most airplanes are aging and much too expensive to maintain, our hobby of building and flying radio controlled airplanes is the last avenue for our children to see and experience our aviation heritage.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

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Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

PEB 12 1993

Arthur J. Kittler 515 East Cedar Olathe, KS 66061-4707

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February 3, 1993 MAR 1 1 1993

FEDERAL COMMUNICATE OF THE SECRETARY

The Honorable Jan Meyers 1230 Longworth Building Washington, DC 20515

Dear Mrs. Meyers:

I am an active hobbyist in model aviation. Aviation made an early impact on my life because I grew up on a farm that was in line with the active runway of the local airport. The "bug" bit me then, and now I enjoy an economical alternative to full scale aviation by taking part in Radio Control aviation. This hobby is the only one I am aware of that can be relaxing (during building sessions), educating (during club meetings), rewarding (when teaching others), and challenging (when competing) all at the same time, and all for a moderate investment. I consider a moderate investment between \$ 200 and \$ 500 dollars since I am on a lean budget.

The reason I write to you is to express my concern regarding PR Docket 92-235. It is my understanding that this rules proposal, which was generated by the FCC Land Mobile Service, will greatly jeopardize the safety and well-being of my hobby.

Currently, the modeling industry uses radio frequencies from 72 Mhz to 76 Mhz for control of our models. This frequency band is shared with land mobile dispatch operators. At present, there are few interferences between the two operations due to adequate separation (spacing) of frequencies throughout the band.

The FCC is now requesting (via PR Docket 92-235) that this current frequency band be restructured to accommodate more land mobile frequencies, i.e., more frequencies with less space between them. I am told that if these rules are adopted, the modeling community will lose at least 30 of the currently 50 frequency channels designated for hobby use.

The reasoning is thus: mobile pagers by definition are not confined to broadcasting their signals from a fixed location. They can transmit their signals anytime and anywhere. The modeling community goes to great lengths in finding (and keeping) designated flying fields, with one thing prominent... safety coming first. But with this proposed FCC ruling, the modeling industry's current radios will be rendered unsafe on many frequencies due to the likely interference with mobile pagers' transmissions. Radio interference in this hobby not only could spell disaster for a multi-hundred dollar model, but could also spell tragedy for a modeler or other innocent bystander if an out-of-control model should wander toward a crowd. The modeling community recognizes this danger up front; hence, this letter to you.

While the modeling community may seem to be "just another special interest group," please consider there are well over one hundred thousand people registered in the Academy of Model Aeronautics alone, (does not include "independents") whose significant hobby investments would be in jeopardy. Not only would the "end-user" need to make adjustments, but worldwide manufacturers that provide radio equipment (Futaba, Hi-Tec, RCD, JR, Airtronics, World Expert, ACE RC, Kraft) would need to restructure their product lines for the US market on account of the land mobile users.

In closing, if PR Docket 92-235 were to be approved, safety in the modeling hobby would be greatly reduced, the manufacturers' product lines would need to be restructured in an attempt to regain the lost safety margin (most likely economically unfeasible), and an enjoyable hobby would turn into a nightmare for thousands of modelers currently on a tight budget. I urge you to vote down PR Docket 92-235.

Thank you for your consideration of this matter.

Sincerely,

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RECEIVED February 1, 1993

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FEDERAL COMMUNICATIONS DUM ASSION
OFFICE OF THE SECRETARY

The Honorable Jan Meyers 1230 Longworth Bldg Washington, DC 20515

Representative Meyers,

Recently it has come to my attention that the FCC is considering a change to the radio frequencies which operate in the area that I have been using for my Radio Control Hobby. This would not normally be of concern to myself but in this case I have invested more than a thousand dollars in equipment which is designed to operate in this normally allocated hobby frequency range.

This FCC proposal NPRM-PR Docket 92-235 would make my present equipment investment obsolete, and necessitate a costly procedure for changing the equipment I have to operate in a less safe environment.

Let me explain:

At the present time, the FCC has allocated 50 frequencies in the 72MZ frequency range and 30 Frequencies in the 75MZ band for Radio Control hobby use. These frequencies are now shared by commercial users, but are separated by an amount of spectrum that presently allows radio manufactures to economically produce a radio which operates along with the commercial users and not interfere with their signals. It is very important that this amount of separation be maintained as the models with are controlled by Radio can not tolerate any interference with its control signal while in the air as the smallest amount of interference can cause the model to become uncontrollable, and as a result very dangerous.

As you can see these are not toys but actually small models which can serve to train future pilots as my son my become. His participation with me in this hobby has certainly opened a possible career window for him.

If I understand the proposal correctly there may be a small number of frequencies maintained which would keep the present separation between frequencies. I understand this may be 19 channels out of the present 80 plus which are now available in both bands. This can also present additional safety problems as model radios are manufactured with one frequency and if the number of frequencies is decreased by 70% the competition for the remaining channels will without a doubt increase the opportunity for accidents.

As a manner of interest and well as annoyance for myself the FCC has been working with one of our national organizations the AMA(Academy of Model Aeronautics, Reston Va.) for the past five years to develop a Band Plan which allocated the present frequencies which are used by the Radio Control hobby. This join effort resulted in the implementation last year of what is called the "1991 frequencies". I have myself invested in radio equipment which conforms to this "new" standard which was promised by the FCC. This tendency to change the policy direction for frequency assignments every year or so is not consistent with the Radio Control equipment which is presently available. If these proposals are put in place my equipment(three Radios) (which all fall into the effected frequency) will not be usable without expensive modifications.

I hope I have caused you to examine this FCC proposal in greater detail and I urge that you recommend to the FCC that this proposal be modified to not place additional frequencies close to those now allocated to Radio Control use.

Chuck Carson 13219 W 83 rd Terr Lenexa, Ks 66215 KY

The Honorable Jan Meyers 1230 Longworth Building Washington, DC 20515

FEB 1 0 1993



Dear Representative Meyers,

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes. I currently own well over \$1500.00 dollars worth of equipment and I use them enjoy the fun of flying since the costs of civil aviation are so out of control thanks to liability insurance.

Our radio frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio frequencies in this band are far enough apart from the land mobile frequencies that have been able to share the band without either use interfering with the other.

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When I fly my model airplanes, I go to great lengths to assure the safety of others and bystanders and the protection of property. Many of the safety precautions involve careful coordination of radio control frequencies. If the number of usable frequencies is greatly reduced as the proposed by the FCC, the remaining frequencies will become congested and the margin of safety we enjoy now will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and can weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they can cause extensive property damage if radio interference causes the operator to lose control. I fly at organized events and contests where hundreds of operators participate. Myself and others feel that we need the full range of radio frequencies that is available to us now to insure a safe flying environment.

I do not think that it is wise of the FCC to seek to improve the operating conditions of land mobile users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but myself and others have a considerable investment in our models and our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself who cannot afford the real thing.

Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerly,

fini Sandwar

Jim Sanderson 250 West Park

Gardner, Kansas 66030

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FEB 12 1990
FEBERAL COMMUNICATIONS COMMISSION
ACTICE OF THE SECRETARY

The Honorable Jan Meyers 1230 Longworth Building Washington, DC 20515

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Sincerly,

Phillip Beine Phillip Beine 16 East 2200 Road Wellsville, Kansas 66092

MAR 1 1 1993

The Honoralle Dave Meyers affice of the SECRETARY

Rule making of PR Docket 92-235.

Racio Control Modeless. We really you showing it our models at " he flying iseason. Having true modeling in the family means that we spend alot of money on our great holdy (Which is fan katter than spending it on drinbung and, or smaking). We spend in the meighberhood of 13 000 a year on our models. Probably more really! With theat kind of money of would hate to have my plane crash because of a land mobile phone that will met be required to have their trans-It Ju- Ino we atend they require you to have your transmeters Randod and at some Thy Check your Radios to make sure they you do not ply !! So Plea you do not h of our sport and 200,000 others, please

down the proposal. Thank You

Damis & Yrish Brooks

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Juin a Frederic Retire (MASTE Men ful and Infred Bozzan in FAA an traffic Control. Theps on rooking then when it was "really tough going" because Iwanted to retire and receive my annuit, and IEHB'S at hick the ferome the a real god retirement benefit!" How he want to get the reterior benefit lifter 30 years 11 ATC you really need the, very fit and so does the wines to came they "Enderd" as well as we retires" det. There were many Exaliables in ATE that had the grange the work because and many were clivered and to any wine of the A received grang wholever to present in the present. I sure the proposed of pay wholever to present. I worked 3 shifts in 40 the weeke for many years and that alone can "house up" lins.

Ala Fama Demount (Contributor) to DSCC, DCCC. DNC + ETC (Tedirections!

Please gesette gon Conserve ded place help

Con cost of te HB; her risin each year dist the year regain - "16" a month, (GEHA) for me.

ra s

Jan part support and help har been opposited ten much Hope you can see feith help in again

Danikal en a "Streke".

am 80 years of age - hy unta is 76. Destard 4/15/92.

Manh ogow ag an:

Duma R Kerr

9113 Riggs Land, Child

Operland Park, KAS 66212

3205 W. 26+ St. Lawrence, KS 66047 19 Jan. 1993

JAN 26 1993

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FEDERAL COMMUNICATION JOHNMOSION OFFICE OF THE CONTRACT ARY

230 Longworth Bldg. Vashington, DC 20515 or Ms. Meyers: I am whiting to express my concern over a proposed CC rule (NPRM PR 92-235), which would essentially iminate a hobby that is one of the main pleasures in my - radio-controlled airplames. I love aviation, but I do not se the money to fly full-sized arrplanes. The proposed FCC regulation would squeeze several mobile rymunications channels between each pair of R/Cohanadd more RC channels and allow communication munels between them, which required the whole RIC markenety to switch to new "normon bound" agrupment. I ve almost \$700.00 tied up in vadies the alone, not to ation airplanes, motors of field equipment. If the new reg enacted, the LEGAL televances will allow the communitions channels to overlap the PIC channels: a car driving or a boat on a nearby toke with a cellular phone, or a -dless phone in a nearby neighborhood could cause a corrember to lose control of his or her airplane Aside and the assured distruction of the model, property damage I injury on the ground are pessible (some planes weigh 165 + 4 go 80-100 mph!). Jayhank Medelmesters has 150 active members, I the last majority of our radio's Il become junk under these new rules. I under stand the we of the communications industry for more channels, but we e alverdy sacrificed—let them fight over other parts the frequency spectrum.